

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

#19/RCE

In re: PATENT APPLICATION of

Inventor(s): HAIR III et al.

Appln. No.: 09/729,853

Filed: December 6, 2000

Title: OPTICAL VEND-SENSING SYSTEM FOR CONTROL OF VENDING  
MACHINE

Atty. Dkt. 2543-0338

Group Art Unit: 2873

Examiner: Lester, E.

Date: February 13, 2004

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

## PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed - see item 4 below).

Prosecution has been closed as defined in Rule 114(b).Reply to any outstanding action and Rule 17(e) fee must be enclosed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith or before the new action is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed February 9, 2004. (copy attached)
2. ☐ The enclosed new Amendment.
3. ☐ Consider the arguments in the appeal brief filed and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement:  
☐ IDS Letter ☐ Cited Appln(s) ☐ Foreign Search Report/OA ☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of months (3 mos. Max) for which the required \$130 fee is enclosed.

02/19/2004 BERDEN 00000001 501860 09729853  
(Our Deposit Account No. 501860)  
01 FC:2801 (Our Order No. 2543-0338)

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.  
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

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By Atty.: Timothy J. Klima

Reg. No.: 34,852

Sig: \_\_\_\_\_

**FACSIMILE TRANSMISSION****To: United States Patent and Trademark Office****Facsimile No.: (571) 273-2332****No. of Pages** <sup>571-272-2328</sup> (including this page): 6**IF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US  
IMMEDIATELY BY TELEPHONE AT (703) 248-0333****USPTO: PLEASE ACKNOWLEDGE CLEAR RECEIPT OF ALL PAGES INDICATED  
ABOVE BY FAXING THIS PAGE BACK TO (703) 248-9558****In re Patent Application of:****Atty. Dkt. No.: 2543-0338****HAIR III et al.****Group Art Unit: 2873****Appln. No.: 09/729,853****Examiner: Lester, E.****Filed: December 6, 2000****Date: February 13, 2004****Title: OPTICAL VEND-SENSING SYSTEM FOR CONTROL OF VENDING MACHINE****Name of paper being transmitted: Request for Continued Examination****Message: Please see attached RCE and a copy of the Amendment filed February 9, 2004.****CERTIFICATE OF FACSIMILE TRANSMISSION****I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark  
Office at the above fax number on the date shown below.****Name: Timothy J. Klima****Signature: ****Date: February 13, 2004****Davidson Berquist Klima & Jackson, LLP  
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